

365.820 Items not required to be repurchased from retailer.

The provisions of KRS 365.800 to 365.840 shall not require the repurchase from a retailer of:

- (1) Any repair part or superseded part which has a limited storage life or is otherwise subject to deterioration, such as rubber items, gaskets, or batteries;
- (2) Any repair part or superseded part which is in a broken or damaged package;
- (3) Any single repair part or superseded part which is priced as a set of two (2) or more items;
- (4) Any inventory for which the retailer is unable to furnish evidence, satisfactory to the supplier, of clear title, free and clear of all claims, liens, and encumbrances;
- (5) Any inventory which the retailer desires to keep, provided the retailer has a contractual right to do so;
- (6) Any inventory which is not in a new, unused, and undamaged condition, except that inventory used in demonstrations or leased, as provided in KRS 365.810, shall be considered new and unused;
- (7) Any inventory which was ordered by the retailer on or after the date of notification of termination of the contract; or
- (8) Any inventory which was acquired by the retailer from any source other than the supplier.

Effective: April 21, 2004

History: Amended 2004 Ky. Acts ch. 144, sec. 5, effective April 21, 2004. -- Created 1986 Ky. Acts ch. 32, sec. 5, effective February 28, 1986.